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Sent: Wed 6/19/2013 4:00:29 PM
Subject: Exide Update

Just a quick update on Exide:

- A LA Superior Court Judge has ruled that the facility can start business again immediately.
- After 3 days of hearings with an Administrative Law Judge, there is still more testimony that the ALJ needs to hear (DTSC says about 3 more days). They will only continue the hearing again on July 2nd, due to court scheduling.
- Upon Exide's request for intervention, the Superior Court Judge intervened and lifted the suspension order in the meantime, saying that waiting until the hearing is over will cause 'irreparable harm' to the company. The company has filed for bankruptcy.

The judge's action certainly undermines DTSC's argument that there was an imminent and substantial endangerment which is the basis for their immediate suspension of operations. Reports from DTSC on the hearing have indicated that it is a little rocky, and they are feeling 'out-attorney-ed' just on the basis of numbers.

Let me know if you have any questions.

Caleb